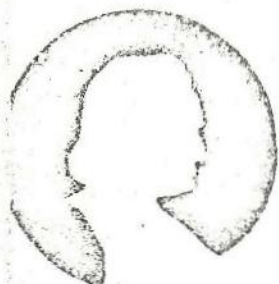


DEDICATED TO THE PRESERVATION OF OUTDOOR AMERICA



The Izaak Walton League of America

PORTER COUNTY CHAPTER, CHESTERTON INDIANA 46304

M.R. Box 438 Chesterton, Indiana 46304 Dec. 3, 1974

Mr. James O. McDonald, Director
Enforcement Division
U.S. Environmental Protection Agency
Region V
230 South Dearborn Street
Chicago, Illinois 60604

Dear Mr. McDonald:

I want to thank Mr. Samuel L. Moore, Director, Division of Water Pollution Control, Indiana State Board of Health, for his prompt responses to my questions presented for the NPDES Public Hearing in Indianapolis, November 26, 1974, that had to go unanswered at that time due to lack of time. I have some additional comments, based on Mr. Moore's responses, which are contained herewith.

SPC 15, Part III, Sec. 8 (a). Mr. Moore indicates that public notices, documents, and act sheets will be mailed third class. This will deny the public the opportunity to participate or respond in a timely fashion if a 30-day comment period is envisioned. Either the class of mail must be upgraded to first class or the comment period extended to 60 days when Indiana assumes NPDES permit authority. Which change will be made? First class mail or 60 day comment period?

My question, SPC 15, Part III, Sec. 17 should be changed to read Sec. 19. He indicates that non-compliance reports will be available in the U.S. EPA Region V Office. Is this the only "appropriate agency offices" (in addition to the State Board of Health, I presume) where such reports will be available. I had hoped it referred to the repository libraries, and express the hope that the State of Indiana will decide to disseminate such information on a wider basis.

Sec. 15, Part, III, Sec. 28 (b). Mr. Moore apparently misunderstood my question. I was referring to the fact that a "minor" discharger who is determined to be not a minor discharger, and therefore must complete the normal NPDES application forms, is given a reasonable time of "not less than 30 days" to comply, but is given no maximum time for compliance. It appears to be open-ended, depending upon someone's interpretation of the word "reasonable."

My qualms over the question of water quality surrounding diked disposal areas in Lake Michigan, directed to U.S. EPA, remain. Since Col. Miller of the U.S. Army Corps of Engineers made it clear that U.S. Steel will monitor the water quality of its Gary Works dredging operation and the effect of the disposal site materials on surrounding water quality, the only assurance that would satisfy me presently is that EPA will simultaneously monitor the operation, bearing in mind that dredged spoil from U.S. Steel's South Works will be barged to the disposal area at Gary Works.

The State of Indiana provided the Corps of Engineers with assurances that air and water pollution coming from industries in the vicinity of Burns Harbor (the Port of Indiana) would be controlled to the maximum feasible extent when it obtained the final payment of federal funds, in the form of reimbursement to the state for the money advanced to get the harbor project underway. Now I am told that, in effect, these assurances when originally made were not enforceable. Yet, repeated attempts to find out what these assurances were proved unsatisfactory. It is my contention that the state and EPA are committed to requiring "Best Available Technology" for NPDES permits issued to industries in the vicinity of Burns Harbor. Otherwise the state is subverting the clear intent of the law authorizing the harbor (Title III, Rivers and Harbors, Sec. 301, 1965) and House Document 160, and EPA is permitting them to do so. The existence of stricter than normal standards for these industries should be implemented in the permits issued and notice of their existence should be made a part of all NPDES permits issued for the applicable industries.

Sincerely,

Charlotte J. Read

Charlotte J. Read
President
Porter County Chapter
Izaak Walton League of America

cc: Mr. Samuel L. Moore